

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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HIBAH T. LEE,

Plaintiff,

Docket No.  
20-cv-05021(PMH)

**NOTICE OF MOTION**

-against-

COUNTY OF ORANGE, SERGEANT DELLAPIA,  
VINCENT DICHIAO, KEITH KISZKA, ERIC  
COLBY, JESSE WEED, LAWRENCE CATLETTI,  
MICHAEL ZAPPOLO, JAMES POTTER, ANTHONY  
MELE,

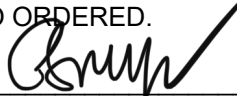
Defendants.  
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**PLEASE TAKE NOTICE** that upon the Declaration of Anthony F. Cardoso, the Memorandum of Law In Support, and upon all the pleadings and proceedings heretofore had herein, the undersigned, attorney for defendants will move this Court before the Honorable Phillip M. Halpern, at the United States Courthouse, Southern District of New York, U.S. Courthouse, 300 Quarropas Street, White Plains, New York, for an Order pursuant to F.R.C.P. 12(b)(1) and (6), on the grounds that the Court lacks subject matter jurisdiction over certain claims and the Amended Complaint fails to state a claim upon which relief may be granted, with prejudice, and for such other and further relief as this Court may deem just and proper.

Dated: Goshen, New York

Motion denied without prejudice to re-filing in accordance with my Individual Practices. Defendants are referred to Individual Practices Rules 2 and 4, in particular concerning motions to dismiss. The Clerk of Court is respectfully requested to terminate the motion (Doc. 19) and mail a copy of this Order to Plaintiff.

SO ORDERED.

  
Philip M. Halpern  
United States District Judge

Dated: New York, New York  
November 18, 2020

Respectfully submitted,



ANTHONY F. CARDOSO  
Assistant County Attorney  
GREGORY C. CHAPMAN  
Assistant County Attorney